# BEFORE THE BOARD OF BEHAVIORAL SCIENCES DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

KATHERINE ANN LAMBETH 504 S. 35<sup>th</sup> Ave. #107 Omaha, NE 68105-1391

Associate Clinical Social Worker Registration No. ASW 93682

Respondent.

Case No. 2002023000493

STIPULATED SURRENDER OF REGISTRATION AND ORDER

### **DECISION AND ORDER**

Based on Condition 17 of the attached Stipulated Settlement and Disciplinary Order in the Matter of the Statement of Issues Against Katherine Ann Lambeth, Case No. 2002019001548, the Board formally accepts Respondent's request to surrender Associate Clinical Social Worker Registration No. ASW 93682 and accepts her tendered registration.

- 1. The surrender of Respondent's Associate Clinical Social Worker Registration and the acceptance of the surrendered registration by the Board shall constitute the imposition of discipline against Respondent and shall become a part of Respondent's license history with the Board of Behavioral Sciences.
- 2. Respondent shall lose all rights and privileges as an Associate Clinical Social Worker in California as of the effective date of the Board's Decision and Order.
- 3. Respondent shall cause to be delivered to the Board her current registration on or before the effective date of the Decision and Order.
- 4. Respondent shall not apply to the Board for registration or licensure for three (3) years from the effective date of the Board's Decision and Order.
- 5. If Respondent applies for any registration or license issued by the Board or any other healthcare licensing agency in the State of California, all of the charges alleged in Statement of Issues Case No. 2002019001548 shall be deemed true, correct and admitted by Respondent for the purpose of any Statement of Issues or other proceeding seeking to deny such application.

- 6. The Board's adoption of her registration surrender precludes Respondent from petitioning the Board for reinstatement of the surrendered registration.
- 7. Should Respondent at any time after this surrender reapply to the Board for registration or licensure, she must meet all current requirements including, but not limited to, filing a current application, meeting all current educational and experience requirements, and taking and passing any and all examinations required of new applicants.

This Decision shall become effective on October 13, 2022

It is so ORDERED September 13, 2022

STEVE SODERGREN

**Executive Officer** 

Board of Behavioral Sciences Department of Consumer Affairs

State of California

### BEFORE THE BOARD OF BEHAVIORAL SCIENCES DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

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In the Matter of the Statement of Issues Against:	Case No. 2002019001548	
KATHERINE ANN LAMBETH 15202 Fonthill Avenue Lawndale, CA 90260		
Associate Clinical Social Worker . Registration Applicant		
Respondent.	·	
DECISION AND ORDER		
The attached Stipulated Settlement and Disc	ciplinary Order is hereby adopted by the Board	
of Behavioral Sciences, Department of Consumer Affairs, as its Decision in this matter.		
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This Decision shall become effective on _J	anuary 8, 2020	
It is so ORDEREDDecember 9,		
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	BOARD OF <b>BE</b> IENCES	

**VENT OF CON:** 

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. 1	XAVIER BECERRA	
2	Attorney General of California LINDA L. SUN	
3	Supervising Deputy Attorney General KIM KASRELIOVICH	
4	Deputy Attorney General State Bar No. 261766	
5	300 So. Spring Street, Suite 1702 Los Angeles, CA 90013	•
6	Telephone: (213) 269-6444	
7	Facsimile: (213) 897-2804 E-mail: Kim.Kasreliovich@doj.ca.gov Attorneys for Complainant	
8		
9	BEFORE:THE BOARD OF BEHAVIORAL SCIENCES	
10	DEPARTMENT OF CONSUMER AFFAIRS	
11	STATE OF CA	ALIFORNIA
12		•
13	In the Matter of the Statement of Issues	Case No. 2002019001548
14	Against:	
- 1	KATHERINE ANN LAMBETH 15202 Fonthill Avenue	STIPULATED SETTLEMENT AND DISCIPLINARY ORDER
15	Lawndale, CA 90260	DISCH DIVART ORDER
16	Associate Clinical Social Worker	
17	Registration Applicant	
18	Respondent.	
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20	IT IS HEREBY STIPULATED AND AGR	EED by and between the parties to the above-
21	entitled proceedings that the following matters are true:	
22	PARTIES	
23	1. Kim Madsen (Complainant) is the Executive Officer of the Board of Behavioral	
24	Sciences (Board). She brought this action solely in her official capacity and is represented in this	
25	matter by Xavier Becerra, Attorney General of the State of California, by Kim Kasreliovich,	
26	Deputy Attorney General.	
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- 2. Respondent Katherine Ann Lambeth (Respondent) is represented in this proceeding by attorney Jeffrey S. Kravitz, whose address is: Kravitz & Chan, LLP, 1851 Heritage Lane, Suite 128, Sacramento, CA 95815-4996.
- 3. On or about November 27, 2018, Respondent filed an application dated November 1, 2018, with the Board to obtain an Associate Clinical Social Worker Registration.

### **JURISDICTION**

- 4. Statement of Issues No. 2002019001548 was filed before the Board, and is currently pending against Respondent. The Statement of Issues and all other statutorily required documents were properly served on Respondent on March 21, 2019.
- 5. A copy of Statement of Issues No. 2002019001548 is attached as Exhibit A and incorporated herein by reference.

### ADVISEMENT AND WAIVERS

- 6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Statement of Issues No. 2002019001548. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.
- 7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

### **CULPABILITY**

9. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. 2002019001548.

10. Respondent agrees that her Associate Clinical Social Worker Registration is subject to denial and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

### **CONTINGENCY**

- 11. This stipulation shall be subject to approval by the Board of Behavioral Sciences. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Behavioral Sciences may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.
- 12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.
- 13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.
- 14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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### **DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Respondent Katherine Ann Lambeth be issued a Registration Number as an Associate Clinical Social Worker upon successful completion of all licensing requirements. Said registration shall be revoked. The revocation will be stayed and Respondent placed on five (5) years probation on the following terms and conditions. Probation shall continue on the same terms and conditions if Respondent is granted a subsequent registration, becomes licensed, or is granted another registration or license regulated by the Board during the probationary period.

For the purposes of this Order, and consistent with Business and Professions Code section 23.7, all references to the word "license" contained in any term or condition below shall also be interpreted as meaning "registration."

### 1. Psychological / Psychiatric Evaluation

Within 90 days of the effective date of this decision, and on a periodic basis thereafter as may be required by the Board or its designee, respondent shall complete a psychological or psychiatric evaluation by such licensed psychologists or psychiatrists as are appointed by the Board. The cost of such evaluation shall be borne by respondent. Failure to pay for the report in a timely fashion constitutes a violation of probation.

Such evaluator shall furnish a written report to the Board or its designee regarding respondent's judgment and ability to function independently and safely as a counselor and such other information as the Board may require. Respondent shall execute a Release of Information authorizing the evaluator to release all information to the Board. Respondent shall comply with the recommendations of the evaluator.

If a psychological or psychiatric evaluation indicates a need for supervised practice, (within 30 days of notification by the Board), respondent shall submit to the Board or its designee, for its prior approval, the name and qualification of one or more proposed supervisors and a plan by each supervisor by which respondent's practice will be supervised.

If respondent is determined to be unable to practice independently and safely, upon notification, respondent shall immediately cease practice and shall not resume practice until

notified by the Board or its designee. Respondent shall not engage in any practice for which a license or registration issued by the Board is required, until the Board or its designee has notified respondent of its determination that respondent may resume practice.

### 2. Psychotherapy

Respondent shall participate in ongoing psychotherapy with a California licensed mental health professional who has been approved by the Board. Within 15 days of the effective date of this decision, respondent shall submit to the Board or its designee for its prior approval the name and qualifications of one or more therapists of respondent's choice. Such therapist shall possess a valid California license to practice and shall have had no prior business, professional, or personal relationship with respondent, and shall not be respondent's supervisor. Counseling shall be at least once a week unless otherwise determined by the Board. Respondent shall continue in such therapy at the Board's discretion. Cost of such therapy is to be borne by respondent.

Respondent may, after receiving the Board's written permission, receive therapy via videoconferencing if respondent's good faith attempts to secure face-to-face counseling are unsuccessful due to the unavailability of qualified mental health care professionals in the area. The Board may require that respondent provide written documentation of her good faith attempts to secure counseling via videoconferencing.

Respondent shall provide the therapist with a copy of the Board's decision no later than the first counseling session. Upon approval by the Board, respondent shall undergo and continue treatment until the Board or its designee determines that no further psychotherapy is necessary.

Respondent shall take all necessary steps to ensure that the treating psychotherapist submits quarterly written reports to the Board concerning respondent's fitness to practice, progress in treatment, and to provide such other information as may be required by the Board. Respondent shall execute a Release of Information authorizing the therapist to divulge information to the Board.

If the treating psychotherapist finds that respondent cannot practice safely or independently, the psychotherapist shall notify the Board within three (3) working days. Upon notification by the Board, respondent shall immediately cease practice and shall not resume practice until

notified by the Board or its designee that respondent may do so. Respondent shall not thereafter engage in any practice for which a license issued by the Board is required until the Board or its designee has notified respondent that she may resume practice. Respondent shall document compliance with this condition in the manner required by the Board.

### 3. Monitor Billing System

Upon initial license issuance, respondent shall submit to the Board or its designee for prior approval the name of one or more independent billing systems which monitor and document the dates and times of client visits. Respondent shall obtain the services of the independent billing system monitoring program within fifteen (15) days after notification of the board's approval of such program. Clients are to sign documentation stating the dates and time of services rendered by respondent and no bills are to be issued unless there is a corresponding document signed by the client in support thereof. The billing system service shall submit quarterly written reports concerning respondent's cooperation with this system. The cost of the service shall be borne by respondent.

### 4. Monitor Billing System Audit

Upon initial license issuance, respondent shall provide to the Board or its designee the names and qualifications of three auditors. The Board or its designee shall select one of the three auditors to annually audit respondent's billings for compliance with the Billing System condition of probation. During said audit, randomly selected client billing records shall be reviewed in accordance with accepted auditing/accounting standards and practices. The cost of the audits shall be borne by respondent. Failure to pay for the audits in a timely fashion shall constitute a violation of probation.

### 5. Law and Ethics Course

Respondent shall take and successfully complete the equivalency of two semester units in law and ethics. Course work shall be taken at the graduate level at an accredited or approved educational institution that offers a qualifying degree for licensure as a marriage and family therapist, clinical social worker, educational psychologist, professional clinical counselor as defined in Sections 4980.40, 4996.18, 4999.32 or 4999.33 of the Business and Professions Codes

and Section 1854 of Title 16 of the California Code of Regulations or through a course approved by the Board. Classroom attendance must be specifically required. Within 90 days of the effective date of this Decision, respondent shall submit a plan for prior Board approval for meeting this educational requirement. Said course must be taken and completed within one year from the effective date of this Decision. The costs associated with the law and ethics course shall be paid by respondent. Units obtained for an approved course in law and ethics shall not be used for continuing education units required for renewal of licensure.

6. Obey All Laws

Respondent shall obey all federal, state and local laws, all statutes and regulations governing the registration or license, and remain in full compliance with any court ordered criminal probation, payments and other orders. A full and detailed account of any and all violations of law shall be reported by respondent to the Board or its designee in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this term, respondent shall submit fingerprints through the Department of Justice and Federal Bureau of Investigation within 30 days of the effective date of the decision, unless previously submitted as part of the registration or licensure application process. Respondent shall pay the cost associated with the fingerprint process.

### 7. File Quarterly Reports

Respondent shall submit quarterly reports, to the Board or its designee, as scheduled on the "Quarterly Report Form" (rev. 07/2016). Respondent shall state under penalty of perjury whether she has been in compliance with all the conditions of probation. Notwithstanding any provision for tolling of requirements of probation, during the cessation of practice respondent shall continue to submit quarterly reports under penalty of perjury.

### 8. Comply with Probation Program

Respondent shall comply with the probation program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of respondent's compliance with the program.

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### 9. Interviews with the Board

Respondent shall appear in person for interviews with the Board or its designee upon request at various intervals and with reasonable notice.

### 10. Failure to Practice

In the event respondent stops practicing in California, respondent shall notify the Board or its designee in writing within 30 calendar days prior to the dates of non-practice and return to practice. Non-practice is defined as any period of time exceeding thirty calendar days in which respondent is not engaging in any activities defined in Sections 4980.02, 4989.14, 4996.9, or 4999.20 of the Business and Professions Code. Any period of non-practice, as defined in this condition, will not apply to the reduction of the probationary term and will relieve respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; File Quarterly Reports; Comply With Probation Program; Maintain Valid License/Registration; and Cost Recovery. The failure to practice for a total of two years shall be considered a violation of probation and respondent's license shall be subject to cancellation.

### 11. Change of Place of Employment or Place of Residence

Respondent shall notify the Board or its designee in writing within 30 days of any change of place of employment or place of residence. The written notice shall include the address, the telephone number and the date of the change.

### 12. Supervision of Unlicensed Persons

While on probation, respondent shall not act as a supervisor for any hours of supervised practice required for any license issued by the Board. Respondent shall terminate any such supervisorial relationship in existence on the effective date of this Decision.

### 13. Notification to Clients

Respondent shall notify all clients when any term or condition of probation will affect their therapy or the confidentiality of their records, including but not limited to supervised practice, suspension, or client population restriction. Such notification shall be signed by each client prior to continuing or commencing treatment. Respondent shall submit, upon request by the Board or

14. Notification to Employer

Respondent shall provide each of her current or future employers, when performing services that fall within the scope of practice of her registration or license, a copy of this Decision and the Statement offissues or Accusation before commencing employment. Notification to respondent's current employer shall occur no later than the effective date of the Decision or immediately upon commencing employment. Respondent shall submit, upon request by the Board or its designee, satisfactory evidence of compliance with this term of probation.

its designee, satisfactory evidence of compliance with this term of probation.

Respondent shall provide to the Board the names, physical addresses, and telephone numbers of all employers, supervisors, and contractors.

Respondent shall complete the required consent forms and sign an agreement with the employer and supervisor, or contractor, and the Board to allow the Board to communicate with the employer and supervisor or contractor regarding the licensee or registrant's work status, performance, and monitoring.

### 15. Violation of Probation

If respondent violates the conditions of her probation, the Board, after giving respondent notice and the opportunity to be heard, may set aside the stay order and impose the discipline (revocation) of respondentt's license or registration provided in the decision.

If during the period of probation, an accusation, petition to revoke probation, or statement of issues has been filed against respondent's license or registration or application for licensure, or the Attorney General's office has been requested to prepare such an accusation, petition to revoke probation, or statement of issues, the probation period set forth in this decision shall be automatically extended and shall not expire until the accusation, petition to revoke probation, or statement of issues has been acted upon by the board. Upon successful completion of probation, respondent's registration or license shall be fully restored.

### 16. Maintain Valid License

Respondent shall, at all times while on probation, maintain a current and active license with the Board, including any period during which suspension or probation is tolled. Should

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respondent's license, by operation of law or otherwise, expire, upon renewal respondent's license shall be subject to any and all terms of this probation not previously satisfied.

### License Surrender

Following the effective date of this decision, iftrespondent ceases practicing due to retirement or health reasons, or is otherwise unable to satisfy the terms and conditions of probation, respondent may voluntarily request the surrender of her registration or license to the Board. The Board reserves the right to evaluate respondent's request and to exercise its discretion whether to grant the request or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, respondent shall within 30 calendar days deliver respondent's license and certificate and if applicable wall certificate to the Board or its designee and respondent shall no longer engage in any practice for which registration or a license is required. Upon formal acceptance of the tendered registration or license, respondent will no longer be subject to the terms and conditions of probation.

Voluntary surrender of respondent's registration or license shall be considered to be a disciplinary action and shall become a part of respondent's license history with the Board. Respondent may not petition the Board for reinstatement of the surrendered registration or license. Should respondent at any time after voluntary surrender ever reapply to the Board for licensure respondent must meet all current requirements for licensure including, but not limited to, filing a current application, meeting all current educational and experience requirements, and taking and passing any and all examinations required of new applicants.

### Instruction of Coursework Qualifying for Continuing Education

Respondent shall not be an instructor of any coursework for continuing education credit required by any license issued by the Board.

### **Notification to Referral Services**

Respondent shall immediately send a copy of this Decision to all referral services registered with the Board in which respondent is a participant. While on probation, respondent shall send a copy of this Decision to all referral services registered with the Board that respondent seeks to join.

### Reimbursement of Probation Program 20. 1 Respondent shall reimburse the Board for the costs it incurs in monitoring the probation to 2 ensure compliance for the duration of the probation period. Reimbursement costs shall be \$1,200 3 4 pergear. ACCEPTANCE 5 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully 6 discussed it with my attorney, Jeffrey S. Kravitz. I understand the stipulation and the effect it will 7 8 have on my Associate Clinical Social Worker Registration. I enter into this Stipulated Settlement 9 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Behavioral Sciences. 10 11 DATED: 6-9-2019 12 13 R espondent 14 I have read and fully discussed with Respondent Katherine Ann Lambeth the terms and 15 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. 16 I approve its form and content. 17 18 19 Attorney for Respondent 20 /// 21 /// 22 23 /// 24 *|||*|-25 /// 26 27 /// 28 ]]]

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STIPULATED SETTLEMENT (2002019001548)

TLEMENT (2002019001548)

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1	XAVIER BECERRA		
2	Attorney General of California LINDAC. SUN		
3	Supervising Deputy Attorney General KIM KASRELIOVICH		
4	Deputy Attorney General State Bar No. 261766		
·	300 So. Spring Street, Suite 1702		
5	Los Angeles, CA 90013 Telephone: (213) 269-6444		
6	Facsimile: (213) 897-2804 E-mail: Kim.Kasreliovich@doj.ca.gov		
7	Attorneys for Complainant		
8	DEEODE THE		
9	BEFORE THE BOARD OF BEHAVIORAL SCIENCES		
10	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
11	STATE OF CADITORNIA		
12			
13	In the Matter of the Statement of Issues Case No. 2002019001548		
14	Against:		
15	KATHERINE ANN LAMBETH STATEMENT OF ISSUES		
16	Associate Clinical Social Worker  Registration Applicant		
17	Respondent.		
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19	Complainant alleges:		
20	PARTIES		
21	1. Kim Madsen (Complainant) brings this Statement of Issues solely in herofficial		
22	capacity as the Executive Officer of the Board of Behavioral Sciences (Board), Department of		
23	Consumer Affairs.		
24	2. On or about November 27, 2018, the Board received an application for an Associate		
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26	Clinical Social Worker from Katherine Ann Lambeth (Respondent). On or about November 1,		
27	2018, Katherine Ann Lambeth certified under penalty of perjury to the truthfulness of all		
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1	statements, answers, and representations in the application. The Board denied the application on	
2	December 21, 2018.	
3	<u>JURISDICTION</u>	
4	3. This Statement of Issues is brought before the Board under the authority of the	
5	following laws. All section references are to the Business and Professions Code (Code) unless	
6	otherwise indicated.	
7	STATUTORY AND REGULATORY PROVISIONS	
8	4. Section 4992.3 of the Code states:	
9	"The board may deny a license or a registration, or may suspend or revoke the license or	
10	registration of a licensee or registrant if he or she has been guilty of unprofessional conduct.	
11	Unprofessional conduct includes, but is not limited to, the following:	
12	•••	
13	"(k) The commission of any dishonest, corrupt, or fraudulent act substantially related to the	
14	qualifications, functions, or duties of a licensee or registrant."	
15	5. California Code of Regulations, title 16, section 1881 states:	
16	"As used in Section 4992.3 of the Code, unprofessional conduct includes, but is not limited	
17	to:	
18	···	
19	"(e) Commits any dishonest, corrupt, or fraudulent act which is substantially related to the	
20	qualifications, functions or duties of a licensee.	
21	19 * • • •	
22	CAUSE FOR DENIAL OF APPLICATION	
23	(Unprofessional Conduct: Dishonest, Corrupt or Fraudulent Acts)	
24	6. Respondent's application is subject to denial under section 4992.3, subdivision (k) of	
25	the Code in conjunction with California Code of Regulations, title 16, section 1881, subdivision	
26	(e) for unprofessional conduct in that Respondent committed acts of dishonesty and fraud. The	
27	circumstances are as follows:	
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Between on or about May 2002 though June 2003, Respondent rented a home

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